

**IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

IN RE SQUIRRELS RESEARCH LABS LLC, *ET AL.*  
*Debtors*

CASE No. 21-61491-RK  
(JOINTLY ADMINISTERED)  
CHAPTER 11  
SUBCHAPTER V  
JUDGE KENDIG

**FIRST AND FINAL APPLICATION OF FREDERIC P. SCHWIEG, FOR APPROVAL OF  
COMPENSATION AS TRUSTEE THROUGH CONFIRMATION OF PLANS**

Frederic P. Schwieg, moves the Court for an order finally approving this first and final application for fees through confirmation of plans as the duly appointed Subchapter V Trustee (“Trustee”) in the amount of amount of \$12,510.00 and allowing him that amount as an administrative expense against the bankruptcy estate, allowing him to retain the interim payments in the amount of \$3,870 already received from the Debtor and authorizing and directing the Debtor to pay him the balance of \$8,640.00.

**I. JURISDICTION**

The court has jurisdiction over this matter pursuant to 28 U.S.C. §1334(a), (b) and (e) and General Order 2012-7 of the United States District Court for this District. This is a core proceeding in which the Court may enter a final order pursuant to 28 U.S.C. §157(b)(2)(A), (B), (M) and (O).

**II. NARRATIVE SUMMARY**

**A. BACKGROUND**

This is a jointly administered case of Squirrels Research Labs LLC, case no. 21-61491 (“SQRL”) and The Midwest Data Company LLC case no. 21-61492 (“MWDC”). On November 30, 2021, the Office of the United States Trustee appointed Mr. Schwieg as the Trustee for MWDC [Doc 28 in MWDC case and SQRL [Doc. 35 in SQRL case]. The Trustee is compensated on an hourly basis, and all payments to be made to the Trustee are to be from funds

held by the debtor; no other payments have been promised to him other than those approved by the Court.

Pursuant to the order approving interim compensation to professionals in this case, Mr. Schwieg received \$1,470 from the Debtor on February 22., 2022 in payment of invoice 157, and \$2,400 from the Debtor on July 27, 2022 in partial payment of invoice 167 all of which invoices are attached along with invoice 172 hereto.

Mr. Schwieg is an experienced bankruptcy lawyer having been practicing before this Court since 1987. Mr. Schwieg is a former law clerk to the Hon. John F. Ray, Jr., and has represented Trustees, bankruptcy trustees, and Chapter 11 debtors in possession in numerous bankruptcy cases. Mr. Schwieg is one of four Subchapter V Small Business Chapter 11 Case Trustees for this district.

The hourly rates charged on the attached exhibit are the usual and customary charges to all of Mr. Schwieg's clients for services of the type provided, at the time provided. This application covers the period from November 30, 2021 through the date of this application.

#### **B. CASE STATUS**

Both MWDC and SQRL have confirmed plans; MWDC one of reorganization and SQRL one of liquidation. Mr. Schwieg participated in both the hearings on confirmation for both Debtors but far more of his time was spent in dealing with issues in the SQRL case, as more objections to matters in that case were raised by creditors. Mr. Schwieg was appointed after SQRL had already filed a motion to sell all its assets on an emergency basis. Later this motion was challenged by one of the creditors. Mr. Schwieg had discussions with both the US Trustee and the creditor regarding the sale. Ultimately the Court declined to reverse the sale order. Mr. Schwieg thereafter negotiated with the Debtor regarding the terms of a plan whereby Mr.

Schwieg would conduct the investigation into transfers to insiders of SQRL. This plan was the version ultimately confirmed by the court.

**C. PROJECT SUMMARY**

The Trustee's services are detailed on the attached invoices.

**D. EXPENSES**

The Trustee incurred no expenses in connection with this case.

**E. CONCLUSION**

Therefore Frederic P. Schwieg the duly appointed Subchapter V Trustee requests that this Court enter an order approving his fees in the amount of in the amount of amount of \$12,510.00 and allowing him that amount as an administrative expense against the bankruptcy estate, allowing him to retain the interim payments in the amount of \$3,870 already received from the Debtor and authorizing and directing the Debtor to pay him the balance of \$8,640.00. A proposed order is attached.

Respectfully Submitted,  
/s/ Frederic P. Schwieg, Trustee  
\_\_\_\_\_  
Frederic P. Schwieg, Esq. (0030418)  
Attorney at Law  
19885 Detroit Rd. #239  
Rocky River, OH 44116  
(440) 499-4506  
Fax (440) 398-0490  
fschwieg@schwieglaw.com

**CERTIFICATE OF SERVICE**

A copy of this Application for Approval of Trustee Fees and Reimbursement of Expenses was served by was electronically transmitted on or about the date filed via the Court's CM/ECF system to the following who are listed on the Court's Electronic Mail Notice list

John C. Cannizzaro on behalf of Interested Party Instantiation LLC  
[John.Cannizzaro@icemiller.com](mailto:John.Cannizzaro@icemiller.com), [lauren.prohaska@icemiller.com](mailto:lauren.prohaska@icemiller.com)

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Julie K. Zurn on behalf of Debtor The Midwest Data Company LLC  
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Julie K. Zurn on behalf of Plaintiff Squirrels Research Labs LLC  
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Kate M. Bradley ust44 on behalf of U.S. Trustee United States Trustee  
[kate.m.bradley@usdoj.gov](mailto:kate.m.bradley@usdoj.gov)

/s/ Frederic P. Schwieg

---

Frederic P. Schwieg

# Frederic P. Schwieg, Esq., Attorney at Law

# INVOICE

19885 Detroit Rd. #239  
Rocky River, OH 44116-1815  
Phone: 4404994506  
Email: fschwieg@schwieglaw.com

Invoice # 157  
Date: 01/14/2022  
Due On: 02/13/2022

Fred Schwieg  
19885 Detroit Rd. #239  
Rocky River, OH 44116

## Schwieg-Squirrels Research Labs LLC-00132

## Squirrels Research Labs LLC

Type	Date	Description	Quantity	Rate	Total
Service	11/30/2021	call from Kate Bradley re background	0.20	\$300.00	\$60.00
Service	11/30/2021	review Motions set for hearing	1.00	\$300.00	\$300.00
Service	11/30/2021	call with J Zurn re background of case	0.30	\$300.00	\$90.00
Service	12/01/2021	hearing on first day motions	0.30	\$300.00	\$90.00
Service	12/01/2021	review declaration	0.60	\$300.00	\$180.00
Service	12/01/2021	call from M Steel re status of case	0.20	\$300.00	\$60.00
Service	12/01/2021	review proposed sale order	0.60	\$300.00	\$180.00
Service	12/02/2021	IDI	1.20	\$300.00	\$360.00
Service	12/15/2021	prepare and file response to motion for interim payment	0.50	\$300.00	\$150.00
			<b>Quantity Subtotal</b>		<b>4.9</b>
			<b>Quantity Total</b>		<b>4.9</b>
			<b>Subtotal</b>		<b>\$1,470.00</b>
			<b>Total</b>		<b>\$1,470.00</b>

## Detailed Statement of Account

### Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
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157	02/13/2022	\$1,470.00	\$0.00	\$1,470.00
<b>Outstanding Balance</b>				<b>\$1,470.00</b>
<b>Amount in Trust</b>				<b>\$0.00</b>
<b>Total Amount Outstanding</b>				<b>\$1,470.00</b>

Please make all amounts payable to: Frederic P. Schwieg, Esq., Attorney at Law

# Frederic P. Schwieg, Esq., Attorney at Law

# INVOICE

19885 Detroit Rd. #239  
Rocky River, OH 44116-1815  
Phone: 4404994506  
Email: fschwieg@schwieglaw.com

Invoice # 167  
Date: 04/20/2022  
Due On: 05/20/2022

Fred Schwieg  
19885 Detroit Rd. #239  
Rocky River, OH 44116

## Schwieg-Squirrels Research Labs LLC-00132

## Squirrels Research Labs LLC

Type	Date	Description	Quantity	Rate	Total
Service	01/11/2022	review objection to sale and various sale amendments	1.00	\$300.00	\$300.00
Service	01/11/2022	call with D Neumann re issues in case	0.20	\$300.00	\$60.00
Service	01/11/2022	call with B Sisito re call with D Neumann re issues in case	0.20	\$300.00	\$60.00
Service	01/11/2022	hearing on motion to sell and status conference	0.80	\$300.00	\$240.00
Service	01/14/2022	review sale order email and and call with J Zurn re same	1.20	\$300.00	\$360.00
Service	01/14/2022	341 meeting	1.50	\$300.00	\$450.00
Service	01/24/2022	call with J Zurn re plans	0.30	\$300.00	\$90.00
Service	01/25/2022	call with K Bradley re Forsell issues	0.30	\$300.00	\$90.00
Service	01/25/2022	call with K Bradley and B Sisto re Forsell issues	1.00	\$300.00	\$300.00
Service	02/01/2022	call with J Zurn re 2004 and plan	0.40	\$300.00	\$120.00
Service	02/14/2022	Emails with Jay Zurn Re: plan terms	0.30	\$300.00	\$90.00
Service	02/15/2022	Call with B Sisto Re: Avnet PMSI	0.30	\$300.00	\$90.00
Service	02/15/2022	Email from B Sisto Re: Avnet PMSI and review of same	0.50	\$300.00	\$150.00
Service	02/16/2022	Review documents from Bryan Sisto regarding security interest held by Avnet	1.00	\$300.00	\$300.00
Service	02/17/2022	Call with Kate Bradley Re: information from Bryan Sisto	0.30	\$300.00	\$90.00
Service	02/24/2022	call with J Zurn re plan	0.50	\$300.00	\$150.00
Service	02/24/2022	email from B Sisto re plan	0.20	\$300.00	\$60.00



Quantity Subtotal	10.0
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Quantity Total	10.0
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Subtotal	\$3,000.00
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Total	\$3,000.00
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## Detailed Statement of Account

### Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
167	05/20/2022	\$3,000.00	\$0.00	\$3,000.00
Outstanding Balance				\$3,000.00
Amount in Trust				\$0.00
Total Amount Outstanding				\$3,000.00

Please make all amounts payable to: Frederic P. Schwieg, Esq., Attorney at Law

# Frederic P. Schwieg, Esq., Attorney at Law

# INVOICE

19885 Detroit Rd. #239  
Rocky River, OH 44116-1815  
Phone: 4404994506  
Email: fschwieg@schwieglaw.com

Invoice # 172  
Date: 08/02/2022  
Due On: 09/01/2022

Fred Schwieg  
19885 Detroit Rd. #239  
Rocky River, OH 44116

## Schwieg-Squirrels Research Labs LLC-00132

## Squirrels Research Labs LLC

Type	Date	Description	Quantity	Rate	Total
Service	04/05/2022	call with J Zurn re status	0.20	\$300.00	\$60.00
Service	04/05/2022	review reply to motion for relief from sale by Avnet	0.40	\$300.00	\$120.00
Service	04/06/2022	call with B Sisto re status	0.30	\$300.00	\$90.00
Service	04/06/2022	preliminary review of MWDC plan	0.50	\$300.00	\$150.00
Service	04/06/2022	preliminary review of Torrea objection to MWDC and SQRL plans	0.50	\$300.00	\$150.00
Service	04/06/2022	review of Instantiation response objection to sale motion	0.50	\$300.00	\$150.00
Service	04/11/2022	call with Counsel for Avnet re motion to reconsider sale	0.30	\$300.00	\$90.00
Service	04/11/2022	review proofs of claim and motion to seal and response of Forsell to replies	1.30	\$300.00	\$390.00
Service	04/11/2022	review MWDC plan and prepare report	2.40	\$300.00	\$720.00
Service	04/12/2022	hearing on motion to reconsider sale	0.50	\$300.00	\$150.00
Service	04/12/2022	final changes to report on MWDC plan and file same	0.50	\$300.00	\$150.00
Service	04/13/2022	Stanfil Deposition	4.00	\$300.00	\$1,200.00
Service	04/18/2022	call with B Sisto re issues on plan	0.30	\$300.00	\$90.00
Service	04/25/2022	Review plan, schedules and claims register and prepare report on confirmation of Squirrels plan	4.00	\$300.00	\$1,200.00
Service	04/26/2022	Hearing on Midwest data center confirmation	0.80	\$300.00	\$240.00
Service	04/27/2022	Call with Julie's earned Re: Squirrels plan	0.80	\$300.00	\$240.00
Service	05/25/2022	review amended plan	0.80	\$300.00	\$240.00

Service	05/26/2022	review plan	4.00	\$300.00	\$1,200.00
Service	05/26/2022	call with J Zurn re review of plan	0.30	\$300.00	\$90.00
Service	05/31/2022	review plan revisions from Debtor	0.40	\$300.00	\$120.00
Service	07/01/2022	prepare and file motion to continue hearing	1.00	\$300.00	\$300.00
Service	07/06/2022	review objection to Plan from Fleur d Lys	0.30	\$300.00	\$90.00
Service	07/06/2022	email with J Zurn re objection to Plan from Fleur d Lys	0.20	\$300.00	\$60.00
Service	07/21/2022	call with J Zurn re settlement	0.20	\$300.00	\$60.00
Service	07/25/2022	Call with David Newman Re: objection to plan	0.30	\$300.00	\$90.00
Service	07/25/2022	Review proposed order on confirmation and email with Julie Zurn Re: same	1.00	\$300.00	\$300.00
Service	07/26/2022	Hearing on confirmation	0.50	\$300.00	\$150.00
Service	07/26/2022	Review order on confirmation	0.50	\$300.00	\$150.00

**Quantity Subtotal 26.8**

**Quantity Total 26.8**

**Subtotal \$8,040.00**

**Total \$8,040.00**

## Detailed Statement of Account

### Other Invoices

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
167	05/20/2022	\$3,000.00	\$2,400.00	\$600.00

### Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
172	09/01/2022	\$8,040.00	\$0.00	\$8,040.00

**Outstanding Balance \$8,640.00**

**Amount in Trust \$0.00**

**Total Amount Outstanding \$8,640.00**

**IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

IN RE SQUIRRELS RESEARCH LABS LLC, *ET AL.*  
*Debtors*

CASE No. 21-61491-RK  
(JOINTLY ADMINISTERED)  
CHAPTER 11  
SUBCHAPTER V  
JUDGE KENDIG

**ORDER GRANTING FIRST AND FINAL APPLICATION OF FREDERIC P. SCHWIEG, FOR APPROVAL  
OF COMPENSATION AS TRUSTEE THROUGH CONFIRMATION OF PLANS [DOC. \_\_\_\_\_]**

Before the Court is the First and Final Application of Frederic P. Schwieg, for Approval of Compensation as Trustee through Confirmation of Plans [Doc. \_\_\_\_\_] (“Motion”). All parties in interest having been duly served with notice of the Motion and the deadline to respond, and no party in interest having appeared in opposition to the Motion, the Court being fully apprised in the premises, FINDS and ORDERS as follows:

THE COURT FINDS that the compensation requested as adjusted by the court at the hearing is reasonable considering the nature and extent of such services, the time spent on such services, and the rates charged. The Court finds that the services rendered were necessary to the administration of the case, that they were performed in a reasonable amount of time commensurate with the complexity and importance and nature of the matters presented. The

Court finds that Mr. Schwieg has demonstrated skill and experience in the bankruptcy field and the compensation is reasonable based on the customary compensation charged by comparably skilled practitioners in cases other than under this title.

IT IS THEREFORE ORDERED THAT Frederic P. Schwieg's request for fees in the amount of \$12,510.00 as an administrative expense against the bankruptcy estate is hereby FINALLY APPROVED for payment, he is hereby allowed to retain the interim payment from the Debtor of \$3,870, and the Debtor is authorized and directed to immediately pay the balance of \$8,640.00 from the funds on hand in this bankruptcy estate.

###

Prepared By:

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ECF Service

The following is a list of the parties who are on the list to receive e-mail notice/service for this case:

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